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5 UNITED STATES OF AMERICA,

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8 No. CR 07-0074 WHA

9 Plaintiff,

10 v.
11 DEBRA EDISON,

12 Defendant.

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15 **SCHEDULING ORDER
16 FOR CRIMINAL CASE**

17 Pursuant to Local Rule 17.1-1, this order confirms the existing schedule for the case to
18 promote a fair and expeditious trial and pretrial of this case.

19 1. This case will be tried to a jury commencing at **7:30 A.M. ON OCTOBER 27, 2008**. The final pretrial conference will be at **2:00 P.M. ON OCTOBER 15, 2008**. The remainder
20 of this order sets the schedule leading up to these dates.

21 2. By **SEPTEMBER 2, 2008**, counsel shall jointly propose a schedule for submissions
22 for the final pretrial conference that will allow for orderly receipt by the judge of motions and
responses.

23 3. Please remember that Rule 16(a)(1)(G) and Rule 16(b)(1)(C) require disclosure
24 not only of the opinions but also of “the bases and reasons for those opinions.” as well as the
25 witness’s qualifications. Supplemental disclosures at the eleventh hour cannot automatically
26 cure earlier deficient disclosures. Rule 16(d)(2) authorizes several alternatives, including
27 preclusion, for inadequate or late or non-existent disclosures.

28 4. As for *non-expert* disclosures, Rule 16 requires both the government and the
defense to disclose certain materials. Again, Rule 16(d)(2) authorizes preclusion as a sanction.

1 All counsel must comply with Rule 16, Local Rule 16-1 and the *Brady* rule. Both sides must
2 make their disclosures sufficiently in advance of the final pretrial conference so that all counsel
3 will be able to prepare to meet the evidence and to raise any issues pertaining to it at the final
4 pretrial conference.

5 5. For the final pretrial conference, please comply with Local Rule 17.1-1.
6 All government exhibits should be identified by trial exhibit number for the case-in-chief in
7 an exhibit list submitted for the conference. All defense exhibits for its case-in-chief should
8 likewise be identified by trial exhibit number in an exhibit list, at least to the extent the exhibits
9 are required to be disclosed under Rule 16(b).

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11 **IT IS SO ORDERED.**

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13 Dated: August 29, 2008.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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